In the Claims

1. (Currently Amended) A method for treatment of snoring comprising a step of administering to an individual in need thereof nasally, pharyngeally or nasally and pharyngeally a ~~liquid or a solid composition consisting of from about 2 mg to about 200 mg per ml of alkylaryl polyether alcohol polymer alone or in admixture with a pharmaceutically acceptable excipient, diluent or both, administered to the individual in need thereof daily before going to bed in an aerosol, powder or~~ 1% tyloxapol nasal solution in a spray having [[a]] particle sizes ~~larger then~~ between 5 and 10 ~~to about 100~~ microns.

2. (Currently Amended) The method of claim 1, wherein the tyloxapol nasal solution is administered no later then 30 minutes before the bedtime ~~treatment is repeated during the night, wherein a maximum dose of alkylaryl polyether alcohol polymer administered per day is 3000 mg and wherein said composition is applied from antegrade or from retrograde~~.

3. (Currently Amended) The method of claim [[1]] 2, wherein the ~~alkylaryl polyether alcohol polymer is~~ tyloxapol nasal solution consists of 10 mg of tyloxapol, 50 mg of glycerol and 20 mg of sodium bicarbonate per one milliliter of sterile water.

4. (Currently Amended) ~~The~~ A method for treatment of snoring comprising a step of administering a tyloxapol nasal solution consisting of from 0.1 to 0.55% of tyloxapol ~~of claim 3 wherein the composition is~~ formulated as a nasal or pharyngeal aerosol having a particle size about 10 microns.

5. (Currently Amended) The method of claim 4 wherein said solution consists of 5.5 mg of tyloxapol per one milliliter of sterile water. ~~comprising administration of from about 10 to about 200 mg per ml of tyloxapol alone or in admixture with a pharmaceutically acceptable excipient, diluent or both~~.

6-23. (Canceled)

24. (Previously Canceled)

25. (Canceled)

26. (Withdrawn)

27. (Withdrawn)

28. (Withdrawn)

29. (Canceled)

30-37. (Previously Canceled).

REMARKS

This amendment and remarks are filed in response to the Final Office Action dated April 22, 2004 wherein claims 1-23, 25, 26, 28 and 29 are rejected.

Rejections under 35 USC §§ 112, First Paragraph

Examiner prior rejection of claims 25, 26 and 29 under 35 U.S.C. 112, first paragraph, is maintained because the specification, while being enabling for treating snoring, sleep apnea or sudden infant death syndrome, does not reasonably provide enablement for preventing snoring, sleep apnea or sudden infant death syndrome.

Applicant disagree. However, to advance the examination, Applicants canceled claims 25, 26, and 29. Rejection is therefore, moot.

Claims 6,8,10 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter which applicant regards as the invention.

Claims 6 and 8 recite "sodium hydrogen" which is indefinite